IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

THURSDAY, THE 14TH DECEMBER 2006 / 23RD AGRAHAYANA 1928

Bail Appl..No. 7419 of 2006()

Crime No.52/05 of Central Police Station, Ernakulam

: PETITIONER

R.VIJAYAKUMAR, MANAGING PARTNER,
M/S.AVK TRADES, VI/1963, OPP.UCO BANK,
ANAVATHIL, KOCHI-682 002.

BY ADV. SRI.ANTONY DOMINIC
SRI.A.M.SHAFFIQUE

RESPONDENTS:

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1. STATE OF KERALA, REPRESENTED BY ITS
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

2. SUB INSPECTOR OF POLICE,
CENTRAL POLICE STATION, ERNAKULAM.

BY PUBLIC PROSECUTOR SHRI. JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 14/12/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V.Ramkumar, J.

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B.A.No.7419 of 2006

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Dated this the 14th day of December, 2006.

ORDER

Petitioner, who is the sole accused in Crime No.52 of 2005 of Central Police Station, Ernakulam for offences punishable under Sections 272, 406,417, 418, 420 and 487 I.P.C.,seeks anticipatory bail.

2. The case of the prosecution is that about 10 truck loads of chillies weighing 90 tonnes supplied by the petitioner were rejected due to the reason that they were not meeting the specifications.

3. Even though the Public Prosecutor opposed the application, having regard to the facts and circumstances of the case, I am inclined to grant anticipatory bail to the petitioner. Accordingly, a direction is issued to the officer-in-charge of the police station concerned to

release the petitioner on bail for a period of one month in the event of his arrest in connection with the above case on his executing a bond for Rs. 10,000/- with two solvent sureties each for the like amount to the satisfaction to the said officer and subject to the following conditions:

1. Petitioner shall report before the Investigating Officer between 9 a.m. and 11 a.m. on all Wednesdays.

2. The petitioner shall make himself available for interrogation as and when required by the Investigating Officer.

3. The petitioner shall not influence or intimidate the prosecution witnesses nor shall he attempt to tamper with the evidence for the prosecution.

4. Petitioner shall not commit any offence while on bail.

5. Petitioner shall surrender before the Magistrate concerned and seek regular bail in the meanwhile.

6. Petitioner shall surrender before the Investigating Officer any day between 16.12.2006 and 20.12.2006 for the purpose of custodial interrogation and recovery, if any.

If the petitioner commits breach of any of the above conditions, the bail granted to him shall be liable to be cancelled.

This application is allowed as above.

V.RAMKUMAR,
JUDGE.

ess 14/12